

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FILED

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MARY E. DODDS,

Plaintiff,

ORDER
03-CV-6056 CJS

v.

SEAN D. BEARD, et al.

Defendants.

Plaintiff has obtained a default against all defendants, except defendant Beard (who is presently involved in a Bankruptcy). She is moving, *ex parte*, for entry of judgment based on the earlier default. She alleges in a verified complaint a sum certain due of \$76,250.00, plus interest, costs and disbursements, and seeks treble damages as a result of the RICO allegations. See 18 U.S.C. § 1964(c).

The Court has reviewed the allegations in the verified complaint, as well as the affidavit supporting plaintiff's motion for entry of judgment, and it is hereby

ORDERED, that judgment be entered for plaintiff against all defendants, except for defendant Beard; and it is further

ORDERED, that the case with respect to defendant Beard is stayed pending the outcome of the Bankruptcy proceedings; and it is further

ORDERED, that the judgment amount of \$76,250 be trebled pursuant to 18 U.S.C. § 1964, for a total judgment of \$228,750; and it is further

ORDERED, that plaintiff inform the Court not later than October 31, 2005, of the status of defendant Beard's bankruptcy case; and it is further

ORDERED, that plaintiff's failure to so inform the Court will result in dismissal of the action against defendant Beard and the closing of this case.

IT IS SO ORDERED.

DATED: Rochester, NY
May 31, 2005

ENTER.



CHARLES J. SIRAGUSA
United States District Judge